APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/099,877	03/15/2002	Merle Leland Green	LUC-321/Green 2-2-2-3-33	5390

32205	7590	08/31/2005

PATTI & BRILL
ONE NORTH LASALLE STREET
44TH FLOOR
CHICAGO, IL 60602

EXAMINER
KOROBOV, VITALI A

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 08/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/099,877	GREEN ET AL.
	Examiner	Art Unit
	Vitali Korobov	2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 March 2002*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *3/15/02* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date *3/15/02*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This is a first Office Action on the merits of this application. Claims 1-17

are presented for examination.

Paper Submitted

2.   It is hereby acknowledged that the following papers have been received

and placed of record in the file: **Information Disclosure Statement** as received on

03/15/03 was considered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
subject matter which the applicant regards as his invention.

3.   Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph.

Claim 1 recites "...one or more mailbox profile portions for one or more voice

mailboxes that are associated with the one or more of the one or more users to be

copied from one or more first voicemail system components that are associated with the

first network to one or more second voicemail system components that are associated

with the second network contemporaneous with location of one or more voicemail

messages...". This limitation renders claim 1 indefinite, i.e., it is not clear if all or one

portion of the mailbox profile copied to all of the boxes on the second system, one box

on the second system or a portion of one profile on the second system, and vise versa.

All dependent claims are rejected as having the same deficiencies as the claims they depend from.

Claim 6 is further rejected since claim 6 recites the first address, the second address and the address. These limitations render claim 6 indefinite since it is not clear which of the one or more first or the one or more second addresses "the address" refers to.

All dependent claims are rejected as having the same deficiencies as the claims they depend from.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4.   Claim 16-17 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter: "article" and "computer-readable signal-bearing medium".

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by the U. S. Patent 6,640,242 to O'Neal et al. (hereinafter O'Neal).

Referring to claim 1, O'Neal teaches an apparatus, comprising: one or more node components that, upon registration of one or more users in a second network subsequent to registration of one or more of the one or more users in a first network, serve to cause one or more mailbox profile portions for one or more voice mailboxes that are associated with the one or more of the one or more users to be copied from one or more first voicemail system components that are associated with the first network to one or more second voicemail system components that are associated with the second network (Fig. 1, where one or more node components comprise one or more PSTN and/or Internet-based POPS, said POPS, as shown on Fig. 2 each comprise one or more registered users with one or more profile portions of said one or more registered users stored in the local datastore 202, which are copied into database 302 of Fig. 3. See also col. 5, lines 35-41 for teachings of a user profiles and portions thereof, and col. 6, lines 34-50 for replication of this data from local to master datastore), contemporaneous with location of one or more voicemail messages, for the one or more of the one or more users, on one or more storage devices that are coupled with the one or more second voicemail system components through an internet protocol network (Col. 5, lines 25-34 – storage of messages; Col. 4, lines 55-67 – storage and retrieval of messages through the Internet; Fig. 1 – coupling of message systems through the Internet backbone 160); wherein the one or more mailbox profile portions comprise one

or more addresses for one or more locations on the one or more storage devices that

serve to allow the one or more of the one or more users to employ the one or more

voice mailboxes on the one or more second voicemail system components to access

one or more of the one or more voicemail messages on the one or more storage

devices (col. 6, lines 34-50 – user addresses. Col. 6, lines 14-18 – user access to

messages through either VPOP 204 and PSTN 150, or WPOP 206 and Internet 160).

Referring to claim 2, O'Neal teaches the apparatus of claim 1 in combination with

the one or more storage devices, wherein a storage device of the one or more storage

devices employs an address of a location on a second voicemail system component of

the one or more second voicemail system components to identify a voice mailbox, of the

one or more voice mailboxes, on the second voicemail system component; wherein the

voice mailbox corresponds to a voicemail message, of the one or more voicemail

messages, that is located on the storage device (col. 5, lines 25-40 and col. 6, lines 34-

50 – replication of user messages and addresses from local datastore to Internet based

masterstore).

Referring to claim 3, O'Neal teaches the apparatus of claim 1 in combination with

the one or more storage devices, wherein the one or more second voicemail system

components comprise a plurality of second voicemail system components (Fig. 15 –

NOC 1302 - plurality of components), wherein the one or more storage devices

comprise a plurality of file servers (Fig. 15 – file server 1512, Fig. 16 – plurality of NOCs

and, therefore, plurality of file servers); wherein a first voicemail system component of

the plurality of second voicemail system components employs the internet protocol

network to access a first voicemail message, of the one or more voicemail messages,

on a file server of the plurality of file servers; wherein a second voicemail system

component of the plurality of second voicemail system components employs the internet

protocol network to access a second voicemail message, of the one or more voicemail

messages, on a file server of the plurality of file servers (col. 2, lines 35-40 – retrieval of

first voice message via voice call through the Internet. Col. 6, lines 13-17 – retrieval of

second voice message via audio streamer 208 (see fig. 2) through the Internet).

Referring to claim 4, O'Neal teaches the apparatus of claim 1, wherein the one or

more second voicemail system components employ the internet protocol network to any

one or more of retrieve, forward, and delete the one or more voicemail messages on the

one or more storage devices (Col. 5, lines 30-34 – retrieval, forwarding and deletion of

messages employing the internet protocol).

Referring to claim 5, O'Neal teaches the apparatus of claim 1 in combination with

the one or more storage devices, wherein the one or more voicemail messages are

located on the one or more storage devices, wherein the one or more second voicemail

system components comprise one or more pointers to the one or more voicemail

messages (Col. 5, lines 60-67 and col. 6, line 1 – implementation of user interface in

hypertext markup language).

Referring to claim 6, O'Neal teaches the apparatus of claim 1, wherein the one or

more second voicemail system components comprise a first voice mailbox and a

second voice mailbox; wherein the first voice mailbox comprises an address of a

location on a storage device, of the one or more storage devices; wherein the second

voice mailbox comprises the address; and wherein the address is employable by one or

more of the one or more second voicemail system components to access a voicemail

message, of the one or more voicemail messages, on the storage device (col. 5, lines 25-33 and col. 6, lines 14-21).

Referring to claim 7, O'Neal teaches the apparatus of claim 6, wherein upon modification of the voicemail message to comprise a modified voicemail message, the address serves to allow access to the modified voicemail message from the first and second voice mailboxes through employment of the address (See commonly authored and assigned, incorporated by reference in its entirety U. S. Patent 6,411,685 to O'Neal, hereinafter O'Neal 1, col. 10, lines 17-23 – user modifiable fields of a voice message).

Referring to claim 8, O'Neal teaches the apparatus of claim 1, wherein the one or more second voicemail system components comprise one or more voice mailboxes that comprise one or more linked lists; wherein the one or more linked lists comprise one or more addresses of one or more locations on one or more of the one or more storage devices; and wherein one or more of the one or more second voicemail system components employ one or more of the one or more linked lists to access one or more of the one or more voicemail messages on one or more of the one or more storage devices (O'Neal 1, col. 9. lines 24-28 - message lists; lines 57-61 deletion of list element results in message deletion. See also O'Neal col. 9, lines 45-50 – user interface web pages running CGI scripts to execute user commands).

Referring to claim 9, O'Neal teaches the apparatus of claim 8, wherein the one or more of the one or more linked lists comprise one or more encryption keys that serve to allow access to the one or more of the one of more voicemail messages (col. 19, lines 45-55 – HTTPS).

Referring to claim 10, O'Neal teaches the apparatus of claim 1 in combination

with the one or more storage devices, wherein one or more of the one or more storage

devices comprise one or more linked lists that are associated with one or more of the

one or more voicemail messages on the one or more of the one or more storage

devices (O'Neal 1, col. 9. lines 24-28 - message lists); wherein the one or more linked

lists comprise one or more addresses of one or more locations on one or more of the

one or more second voicemail system components (O'Neal, col. 5, lines 35-41); wherein

the one or more locations correspond to one or more voice mailboxes on the one or

more of the one or more second voicemail system components; and wherein the one or

more voice mailboxes are associated with one or more intended recipients of the one or

more of the one or more voicemail messages (O'Neal, col. 5, lines 25-34 – forwarding of

messages, lines 64-67 – graphical user interface implemented in HTML, inherently

containing hypertext links).

Referring to claim 11, O'Neal teaches the apparatus of claim 10, wherein a

storage device of the one or more of the one or more storage devices serves to delete a

voicemail message of the one or more of the one or more voicemail messages upon

deletion of a reference to the voicemail message from each of the one or more voice

mailboxes (O'Neal 1, col. 9. lines 24-28 - message lists; lines 57-61 deletion of list

element results in message deletion. See also O'Neal col. 9, lines 45-50 – user

interface web pages running CGI scripts to execute user commands).

Referring to claim 12, O'Neal teaches the apparatus of claim 1, wherein

forwarding of a voicemail message of the one or more voicemail messages from a first

voice mailbox to a second voice mailbox on the one or more second voicemail system

components comprises copying of an address of the voicemail message from the first voice mailbox to the second voice mailbox (col. 9, lines 45-50 – user interface web pages running CGI scripts to execute user commands. Col. 5, lines 25-33 – message forwarding).

Referring to claim 13, O'Neal teaches the apparatus of claim 1, wherein the one or more node components comprise one or more service control point components that are associated with the second network (Fig. 15, logging and billing system 1506), wherein the one or more mailbox profile portions comprises one or more link information portions and zero or more setting information portions (Col. 5, lines 35-40 – various options (settings) selected by user and which affect the particular behavior of the voice message system); wherein the one or more service control point components, upon the registration of the one or more users in the second network subsequent to the registration of the one or more of the one or more users in the first network, serve to cause the one or more mailbox profile portions for the one or more voice mailboxes that are associated with the one or more of the one or more users to be copied from the one or more first voicemail system components that are associated with the first network to the one or more second voicemail system components that are associated with the second network contemporaneous with the location of the one or more voicemail messages (Fig. 1, where one or more node components comprise one or more PSTN and/or Internet-based POPS, said POPS, as shown on Fig. 2 each comprise one or more registered users with one or more profile portions of said one or more registered users stored in the local datastore 202, which are copied into database 302 of Fig. 3. See also col. 5, lines 35-41 for teachings of a user profiles and portions thereof, and col.

6, lines 34-50 for replication of this data from local to master datastore), for the one or more of the one or more users, on the one or more storage devices that are coupled with the one or more second voicemail system components through the internet protocol network (Col. 5, lines 25-34 – storage devices; Col. 4, lines 55-67 – storage and retrieval of messages through the Internet; Fig. 1 – coupling of message systems through the Internet backbone 160); wherein the one or more first voicemail system components are coupled with the one or more storage devices through the internet protocol network (Fig. 1 – coupling of message systems through the Internet backbone 160); and wherein the one or more link information portions comprise the one or more addresses for the one or more locations on the one or more storage devices that serve to allow the one or more of the one or more users to employ the one or more voice mailboxes on the one or more second voicemail system components to access the one or more of the one or more voicemail messages on the one or more storage devices (O'Neal 1, col. 9. lines 24-28 - message lists; See also O'Neal col. 9, lines 45-50 – user interface web pages running CGI scripts to execute user commands).

Referring to claim 14, O'Neal teaches a method, comprising the step of: copying, upon registration of a user in a second network subsequent to registration of the user in a first network, an address of a voicemail message on a second voice mailbox, on a second voicemail system component that is associated with the second network, from a first voice mailbox, on a first voicemail system component that is associated with the first network, to move an association with the user from the first voice mailbox to the second voice mailbox (Col. 6, lines 37-49 – replication of data between local and master data stores of the first and the second mail systems).

Referring to claim 15, O'Neal teaches the method of claim 14, wherein the first

and second voicemail system components are coupled with a storage device through

an internet protocol network (Fig. 1 – coupling of message systems through the Internet

backbone 160), wherein the step of copying comprises the step of: changing on the

storage device a correspondence of the voicemail message from the first voice mailbox

to the second voice mailbox (Col. 14, lines 30-36 – synchronization of local and master

databases).

Claims 16-17 are rejected in view of the above rejection of claims 14-15. Claims

16-17 are essentially the same as claims 14-15, except that they set forth the invention

as an article, comprising a computer-readable signal-bearing medium rather than a

method, as do claims 14-15.

6.   **Examiner's note:** Examiner has cited particular columns and line
numbers in the references as applied to the claims above for the convenience of the
applicant. Although the specified citations are representative of the teachings of the art
and are applied to the specific limitations within the individual claim, other passages and
figures may apply as well. It is respectfully requested from the applicant in preparing
responses, to fully consider the references in entirety as potentially teaching all or part
of the claimed invention, as well as the context of the passage as taught by the prior art
or disclosed by the Examiner.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Applicant is reminded that in amending in response to a rejection

of claims, the patentable novelty must be clearly shown in view of the state of the art

disclosed by the references cited and the objection made. Applicant must show how

the amendments avoid such references and objections. See 37 CFR § 1.111(c).

8.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Vitali Korobov whose telephone number is 571-272-

7506. The examiner can normally be reached on Mon-Friday 8a.m. - 4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Saleh Najjar can be reached on (571)272-4006. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Vitali Korobov
Examiner
Art Unit 2155

08/25/2005
VAK